



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/814,042	03/20/2001	Kevin E. Crawford	END920000058US1(13761)	3522

7590 04/23/2008
Richard L. Catania, Esq.
Scully, Scott, Murphy & Presser
400 Garden City Plaza
Garden City, NY 11530

EXAMINER

PAULA, CESAR B

ART UNIT	PAPER NUMBER
----------	--------------

2178

MAIL DATE	DELIVERY MODE
-----------	---------------

04/23/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/814,042	Applicant(s) CRAWFORD ET AL.	
	Examiner CESAR B. PAULA	Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,6,11 and 19-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,6,11 and 19-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the RCE amendment filed on 2/11/2008.

This action is made Non-Final.

2. In the amendment, claims 1, and 6, 11, and 19-21 are pending in the case. Claims 1, 6, and 11 are independent claims.

3. The rejection of claims 1, 6, and 11 rejected under 35 U.S.C. 102(e) as being anticipated by Richards et al, hereinafter Richards (USPub 2002/0099829 A1, 7/25/2002, provisional filed on 11/27/2000), have been withdrawn as necessitated by the amendment.

4. The rejection of claims 20-21 rejected under 35 U.S.C. 103(a) as being unpatentable over Richards, in view of Peiffer et al, hereinafter Peiffer (USPat.#6,834,297, 12/21/2004, filed on 10/6/2000), have been withdrawn as necessitated by the amendment.

5. The rejection of claim 19 rejected under 35 U.S.C. 103(a) as being unpatentable over Richards, in view of Peiffer et al, hereinafter Peiffer (USPat.#6,834,297, 12/21/2004, filed on 10/6/2000), and further in view of Hind et al (USPat.# 6,635,088 B1, 10/21/2003, filed on 11/20/1998), has been withdrawn as necessitated by the amendment.

Drawings

6. The drawings filed on 3/20/2001 have been approved by the examiner.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 1, 6, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Richards(USPub 2002/0099829 A1, 7/25/2002, provisional filed on 11/27/2000), in view of Dowling et al (USPat.# 5895463, 4/20/1999).

Regarding independent claim 1, Richards discloses *a client* browser for downloading of a web page(s) from a proxy system or server. The web page contains Javascript, Vbscripts, applets, etc—*storing information in a scripted language format* (0016, 0091-0110, fig.2).

Moreover, Richards teaches the elimination of applets, Java Scripts, VBscripts, etc in accordance to a device specifications or constraints --*identifying logic blocks in the web content file that are unused, and removing the identified, unused logic blocks from the web-content file; removing pre-identified subject matter in said scripted language; the unused logic blocks are functions that are in the file but not used* (0026-0028, 0092-0108). In other words, the scripts or information that is predetermined not to be needed or used by the client browser, is removed from the document.

Further, Richards teaches the mapping of Java Scripts, and Vbscripts in a web page to hyperlinks, analyzing and eliminating all duplicate references to a hyperlink. The code to the scripts is removed from the file and placed on another system-- *identifying logic blocks that are duplicated on the web-content file, consolidating the identified, duplicated logic blocks in the file into one entity in the reduced size file, wherein the consolidating step includes the step of identifying functions that are duplicated in the web-content file, and replacing the identified, duplicated functions in the file with a reference to a single function in a library; shortening recurring identifiers within the file, wherein said identifiers are not part of a tagged language; and* (0016, 0123(7-9)).

Furthermore, Richards teaches sending the webpage to the requesting client after it has been filtered, and compressed in accordance to the prescribed constraints and rules of the requesting device (0016, 0011, 0024). The filtering is done on the fly without needing to recompile the web page--*the server computer downloading to the browser of the client computer the reduced size file; wherein after the size of the requested file has been reduced, the requested file does not require re-compilation in order to be displayed by the browser.* Richards fails to explicitly teach *shortening recurring identifiers including the step of reducing selected ones of the recurring identifiers to one character.* However, Dowling teaches the shortening of words containing multiple characters, such as “able, etc”, to a single character represented by a single character, such as ‘1’(col.5, lines 12-50, fig.1). It would have been obvious to combine Richards, and Dowling, because of all the reasons found in Dowling, who teaches enabling a user to retrieve data in less time (col.1, lines 12-17, 43-52).

Claim 6 is directed towards a computer system for implementing the steps found in claim 1, and therefore is similarly rejected.

Claim 11 is directed towards a program storage device for storing the steps found in claim 1, and therefore is similarly rejected.

9. Claim 1, 6, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Richards(USPub 2002/0099829 A1, 7/25/2002, provisional filed on 11/27/2000), in view of Nakajima et al (USPat.# 7054953, 5/30/2006, filed on 11/7/2000).

Regarding independent claim 1, Richards discloses *a client* browser for downloading of a web page(s) from a proxy system or server. The web page contains Javascript, Vbscripts, applets, etc—*storing information in a scripted language format* (0016, 0091-0110, fig.2).

Moreover, Richards teaches the elimination of applets, Java Scripts, VBscripts, etc in accordance to a device specifications or constraints --*identifying logic blocks in the web content file that are unused, and removing the identified, unused logic blocks from the web-content file; removing pre-identified subject matter in said scripted language; the unused logic blocks are functions that are in the file but not used* (0026-0028, 0092-0108). In other words, the scripts or information that is predetermined not to be needed or used by the client browser, is removed from the document.

Further, Richards teaches the mapping of Java Scripts, and Vbscripts in a web page to hyperlinks, analyzing and eliminating all duplicate references to a hyperlink. The code to the scripts is removed from the file and placed on another system-- *identifying logic blocks that are duplicated on the web-content file, consolidating the identified, duplicated logic blocks in the file into one entity in the reduced size file, wherein the consolidating step includes the step of identifying functions that are duplicated in the web-content file, and replacing the identified, duplicated functions in the file with a reference to a single function in a library; shortening recurring identifiers within the file, wherein said identifiers are not part of a tagged language; and* (0016, 0123(7-9)).

Furthermore, Richards teaches sending the webpage to the requesting client after it has been filtered, and compressed in accordance to the prescribed constraints and rules of the requesting device (0016, 0011, 0024). The filtering is done on the fly without needing to recompile the web page--*the server computer downloading to the browser of the client computer the reduced size file; wherein after the size of the requested file has been reduced, the requested file does not require re-compilation in order to be displayed by the browser.* Richards fails to explicitly teach *shortening recurring identifiers including the step of reducing selected ones of the recurring identifiers to one character.* However, Nakajima teaches the shortening of words or data structures containing multiple characters, such as "Title, etc", to a single character represented by a single character, such as '8' based on the frequency of the word (col.4, lines 23-28, 57-col.6, line 46, col.7, lines 19-27, fig.4c). It would have been obvious to combine Richards, and Nakajima, because of all the reasons found in Nakajima, who teaches increasing the efficiency with which data structures are transmitted (col.1, lines 12-17, 43-52).

Claim 6 is directed towards a computer system for implementing the steps found in claim 1, and therefore is similarly rejected.

Claim 11 is directed towards a program storage device for storing the steps found in claim 1, and therefore is similarly rejected.

10. Claims 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Richards, in view of Dowling, and further in view of Peiffer et al, hereinafter Peiffer (USPat.#6,834,297, 12/21/2004, filed on 10/6/2000).

Regarding claim 19, which depends on claim 1, Richard teaches the compressing and filtering the size of web pages by filtering out data, such as whitespaces, comments, metatags, etc., from the web page thereby creating a smaller modified resource (0092-0101, 0016). Richards fails to explicitly teach *said pre-identified subject matter further includes Line Feeds, Carriage Returns, Tabs, and commented lines*. However, Peiffer teaches the compressing or filtering the size of web pages by filtering out data, such as whitespaces, comments, ASCII hard returns, which are repeated throughout the HTML file (col.2, lines 1-16, col.9, lines 12-68, fig.17-19). It would have been obvious to combine Richards, Peiffer and Dowling, because of all the reasons found in Peiffer, including accelerating, and reducing delay of data transmission in a data network (col.1, lines 34-67).

Regarding claim 20, which depends on claim 6, Richard teaches the compressing and filtering the size of web pages by filtering out data, such as whitespaces, comments, metatags, etc., from the web page thereby creating a smaller modified resource (0092-0101, 0016). Richards fails to explicitly teach *said pre-identified subject matter further includes Line Feeds, Carriage Returns, Tabs, and commented lines*. However, Peiffer teaches the compressing or filtering the size of web pages by filtering out data, such as whitespaces, comments, ASCII hard returns, which are repeated throughout the HTML file (col.2, lines 1-16, col.9, lines 12-68, fig.17-19). It would have been obvious to combine Richards, and Peiffer, because of all the reasons found in Peiffer, including accelerating, and reducing delay of data transmission in a data network (col.1, lines 34-67).

Claim 21 is directed towards a device for storing the steps found in claim 20, and therefore is similarly rejected.

11. Claims 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Richards, in view of Nakajima, and further in view of Peiffer et al, hereinafter Peiffer (USPat.#6,834,297, 12/21/2004, filed on 10/6/2000).

Regarding claim 19, which depends on claim 1, Richard teaches the compressing and filtering the size of web pages by filtering out data, such as whitespaces, comments, metatags, etc., from the web page thereby creating a smaller modified resource (0092-0101, 0016). Richards fails to explicitly teach *said pre-identified subject matter further includes Line Feeds, Carriage Returns, Tabs, and commented lines*. However, Peiffer teaches the compressing or

Art Unit: 2178

filtering the size of web pages by filtering out data, such as whitespaces, comments, ASCII hard returns, which are repeated throughout the HTML file (col.2, lines 1-16, col.9, lines 12-68, fig.17-19). It would have been obvious to combine Richards, Peiffer and Nakajima, because of all the reasons found in Peiffer, including accelerating, and reducing delay of data transmission in a data network (col.1, lines 34-67).

Regarding claim 20, which depends on claim 6, Richard teaches the compressing and filtering the size of web pages by filtering out data, such as whitespaces, comments, metatags, etc., from the web page thereby creating a smaller modified resource (0092-0101, 0016). Richards fails to explicitly teach *said pre-identified subject matter further includes Line Feeds, Carriage Returns, Tabs, and commented lines*. However, Peiffer teaches the compressing or filtering the size of web pages by filtering out data, such as whitespaces, comments, ASCII hard returns, which are repeated throughout the HTML file. (col.2, lines 1-16, col.9, lines 12-68, fig.17-19). It would have been obvious to combine Richards, and Peiffer, because of all the reasons found in Peiffer, including accelerating, and reducing delay of data transmission in a data network (col.1, lines 34-67).

Claim 21 is directed towards a device for storing the steps found in claim 20, and therefore is similarly rejected.

Response to Arguments

12. Applicant's arguments with respect to claims 1, and 6, 11, and 19-21 have been considered but are not persuasive. The Applicant submits that the references of record do not teach or suggest the identifying, and removing unused logic blocks (pages 10-11). The Examiner disagrees, because Richards teaches a proxy server for compressing a markup language document through the elimination of applets, Java Scripts, VBscripts, etc in accordance to a device specifications or constraints (0011, 0026-0028, 0092-0108). In other words, the scripts or information that is predetermined not to be needed or used by the client browser(because the device might not be able to process, execute, display, or interact with the code-0016), is removed from the document, and then delivered to the client, thereby the client's reducing downloading time.

In response to Applicant's assertion that Hind is assigned to IBM owner of the instant application, and the invocation of 35 USC 103 c (pages 13-14), Hind has been withdrawn and new references have been applied as indicated above.

Conclusion

I. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. DeRose et al. (Pat. # 6,055,544 A), Porter et al. (Pat. # 6,163,811 A), and Unger et al. (Pat. # 6,230,168 B1).

II. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cesar B. Paula whose telephone number is (571) 272-4128. The

Art Unit: 2178

examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong, can be reached on (571) 272-4124. However, in such a case, please allow at least one business day.

Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, go to <http://portal.uspto.gov/external/portal/pair>. Should you have any questions about access to the Private PAIR system, please contact the Electronic Business Center (EBC) at 866 217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, please call 800-786-9199 or 571 272-1000 (USA or Canada).

Any response to this Action should be mailed to:
Commissioner for Patents
P.O. Box 1450

Alexandria, VA 22313-1450

Or faxed to:

- **(571)-273-8300** (for **all** Formal communications intended for entry)

/CESAR B PAULA/ Primary Examiner, Art Unit 2178
--

4/23/2008

Application/Control Number: 09/814,042
Art Unit: 2178

Page 12